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United States Attorney
District of Hawaii

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
Apr 20, 2018
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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	MAG. NO. 18-0376 KJM
)	
Plaintiff,)	CRIMINAL COMPLAINT
)	
vs.)	
)	
Adalberto Ochea CORTEZ,)	
)	
Defendant.)	
)	

CRIMINAL COMPLAINT

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

COUNT 1

On or about April 19, 2018 in the District of Hawaii, the defendant, ADALBERTO OCHEA CORTEZ did knowingly and

intentionally possess with the intent to distribute more than 100 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

I further state that I am a deputized Task Force Officer with the Drug Enforcement Administration (DEA) and that this complaint is based on the following affidavit which is attached hereto and made part of this complaint by this reference.

DATED: April 20, 2018, at Honolulu, Hawaii


RODERICK A. KAM
TASK FORCE OFFICER, DEA

Sworn to under oath before me telephonically,
and attestation acknowledged pursuant to
Fed. R. Crim. P.4.1 (b)(2), this day of 20th
April, 2018




Kenneth J. Mansfield
United States Magistrate Judge

AFFIDAVIT OF RODERICK A. KAM

I, Roderick A. Kam, after being duly sworn, deposes and says as follows:

1. I am a sworn Sheriff Deputy with the State of Hawaii, Sheriff Division and have been employed as such since February 1, 2001. Since November 2013, I have been assigned to the Drug Enforcement Administration's (DEA) Tactical Diversion Squad (TDS) and now currently with the HIDTA Task Force Group 2 as a DEA Task Force Officer (TFO). I am the case agent assigned to the matter that is the subject of this affidavit. During the course of this investigation, I have worked with other law enforcement agents within the DEA, and the Honolulu Police Department (HPD) and HPD Officers.

2. On March 14, 2018, an HPD Undercover officer contacted WS and arranged to meet WS at the Times Supermarket parking lot in order to purchase two (2) Mexican ounces (50 grams total of heroin). DEA issued \$5,200.00 of HIDTA OAF to the HPD Undercover to purchase the 2 Mexican ounces of heroin. The HPD Undercover officer arrived at the Times Supermarket parking lot and was met by WS. The HPD Undercover officer handed WS the \$5200.00 in HIDTA OAF contained in a "Burger King" cup. WS accepted the Burger King cup and departed the Times Supermarket parking lot. Constant surveillance was maintained on WS as he arrived at Adalberto CORTEZ's residence, located on Halehau Place, Waipahu, Hawaii. CORTEZ was seen by surveillance agents meeting with WS. Approximately forty (40) minutes later, WS returned to the Times Supermarket parking lot. WS handed two (2) clear plastic zip lock bags containing the suspected heroin to the HPD Undercover officer. WS also returned \$100 from the \$5,200 HIDTA OAF to the HPD Undercover officer. The official results tested by the DEA lab confirmed it to be a net weight of 50.0 grams of heroin. Based on my training and experience, 50.0 grams is a distributive amount of heroin.

3. On April 17, 2018, a federal search warrant was obtained and then executed on April 19, 2018 on CORTEZ's Halehau residence in Waipahu, Hawaii. During the search of CORTEZ's residence, approximately 150 grams of suspected heroin was recovered (a presumptive field test was conducted on the suspected heroin, which tested positive for heroin),

two (2) handguns, and an underdetermined amount of US currency were seized. CORTEZ was arrested and subsequently transported to the Federal Detention Center to await appearance in federal court.

FURTHER AFFIANT SAYETH NAUGHT.


Roderick A. Kam
Task Force Officer, DEA

Sworn to under oath before me telephonically,
and attestation acknowledged pursuant to
Fed. R. Crim. P.4.1 (b)(2), this day of 20th
April, 2018.




Kenneth J. Mansfield
United States Magistrate Judge